

## Narrative

A year ago as a family we needed to make a decision whether we would continue to live on 91<sup>st</sup> Place or move to a larger home. We had three teenagers attending Desert Mountain High School and all of them liked this location and their friends and they didn't really want to move. We then came up with the idea of building an addition on the house. We checked it out and decided to go with the addition that is in progress now. We also knew we wanted to add a covered patio so we could enjoy our rear yard. It is the only yard that we have that we can sit in and is only semi-private as you can see in it from across Wood Drive.

Having lived in the Retreat probably longer than any other resident, I've seen covered patios go up over the years, but wanted to do something that would accommodate our family and a visiting relative's family (between 10 and 14 people). I had seen other patio covers close to the rear fence in our development on perimeter homes and also a couple on a cul-de-sac like the one I live on. So I poured a slab, topped it off with cool deck, and I built something that I thought would blend in nicely with the neighborhood. It would give us shade for family and friends. It would also shade our large sliding glass doors in the late afternoon and help with energy costs. I soon found out I needed a permit for that also. I then researched other patios and found that the set back on perimeter homes was measured to the sidewalk outside the rear fence and made it easy to put up something large. I also found the other covered patios on a cul-de-sac like ours didn't have permits.

What I have constructed is currently 19 inches from the rear property line. The way it is constructed, I could pour new footings, and retract it to a distance of five feet from the rear property line. I am told, I am asking for a variance of five feet, however current zoning allows me to be eight feet from the rear fence, so in reality I am looking for three more feet. Without the variance, the whole cover will probably have to be completed disassembled.

Thank you for hearing my request. The City's of Scottsdale's reception to my problem has been excellent. I hope you can help me with this.

Sincerely,



Steven Wilkins



# ZONING ORDINANCE VARIANCE

## Application Submittal Requirements

### Justification for Variance

The Board of Adjustment may not authorize a zoning ordinance variance unless ALL of the following criteria are met. Use the space provided to present your evidence that the requested variance complies; you may attach a separate sheet if you need more room.

1. Special circumstances/conditions exist which do not apply to other properties in the district:

PROPERTY HAS DUAL FRONT YARDS. REAR YARD IS ONLY SEMI-PRIVATE AND THE ONLY PLACE FOR A FAMILY TO GET TOGETHER OUTDOORS.

2. Authorizing the variance is necessary for the preservation and enjoyment of substantial property rights:

THIS PROPERTY DOES NOT OFFER A COVERED PATIO. CURRENT ZONING OFFERS ONLY A 7 FOOT COVER WHICH IS NOT ENOUGH COVERAGE FOR A FAMILY OF FIVE PLUS VISITING RELATIVES.

3. Special circumstances were not created by the owner or applicant:

THIS IS A CORNER LOT WITH MINIMUM SETBACK AND NO OTHER PLACE TO PUT A COVERED PATIO BUT THE REAR YARD. HAVE NOTICED OTHER COVERED PATIOS ERECTED OVER LAST 20 YEARS.

4. Authorizing the application will not be materially detrimental to persons residing or working in the vicinity, to the adjacent property, to the neighborhood, or to the public welfare in general:

THE ARCHITECTURE OF VARIANCE BLENDS IN NICELY WITH NEIGHBORHOOD. ALL ADJACENT NEIGHBORS AND NEIGHBORS WITH DAILY VISIBILITY AGREE IT COMPLEMENTS THE PROPERTY AND DEVELOPMENT.

Planning and Development Services Department

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